

PRESENT:

Commissioner Kathy Carter
Commissioner Lynn Bowers
Commissioner Andrew S. Layson
Commissioner Rodney S. Williams
Mayor William I. May, Jr.

(5)

ABSENT:

None

(0)

The Invocation was given by Reverend Robert Strode, St. John’s AME Church.

The Pledge of Allegiance was led by Mr. John Hammond.

Commissioner Bowers commented that the minutes of the June 16, 2005 Special Meeting did not adequately reflect the details of discussion regarding the decision to hold a special meeting. It was moved by Commissioner Bowers, seconded by Commissioner Carter, to dispense with the reading of minutes of the May 23, 2005 Regular Meeting, June 7, 2005 Special Meeting, June 13, 2005 Work Session and June 16, 2005 Special Meeting. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

Mayor’s Report

Mayor May reported on the following activities and events:

- Grand Theatre events;
- Rolling Thunder, and POW/MIA Flag Raising;
- Downtown Summer Concert Series
- Retirement of FBI Agent Miller
- Salvation Army’s new building
- Opening of the Cove Spring wetlands
- Meeting with Kentucky Division of Water regarding Frankfort sewer projects
- Attendance at the U.S Conference of Mayors
- Veterans Organization monument
- Joined with Commissioner Layson in meeting with South Frankfort Neighbors
- NCAAP Banquet
- Current training activities underway by Frankfort Emergency Response Unit.

Ceremonial Items

Mayor May recognized staff from the Public Works Department who received awards in the annual American Public Works Association competition. Those receiving awards were:

APWA State Competition Winners

- Backhoe – 1st Place – Jim Perkins
- Snowplow – 2nd Place – Raymond Austin

APWA Bluegrass Branch Competition Winners

- Backhoe – 1st Place – Dean Licklighter
- Backhoe – 2nd Place – Eugene Carr
- Snowplow – 1st Place – Allen Burris, Eddie Wiley (team)
- Snowplow – 2nd Place – Keith Meriweather, Raymond Austin (team)

Solid Waste Division Winners

- 1st Place – Raymond Walters
- 3rd Place – Andrew Faris

“AN ORDINANCE ADOPTING EROSION CONTROL AND SEDIMENT CONTROL MEASURES” was presented and read. This ordinance had its first reading on April 25, 2005. It was moved by Commissioner Bowers, seconded by Commissioner Carter, that the ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

“AN ORDINANCE REGULATING ILLICIT STORM WATER DISCHARGE CONTROLS” was presented and read. This ordinance had its first reading on April 25, 2005. It was moved by Commissioner Bowers, seconded by Commissioner Layson, that the ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

“AN ORDINANCE REGULATING POST-CONSTRUCTION STORM WATER RUNOFF” was presented and read. This ordinance had its first reading on April 25, 2005. It was moved by Commissioner Bowers, seconded by Commissioner Williams, that the ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

“AN ORDINANCE APPROPRIATING OF THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR FISCAL YEAR 2005-2006” was presented and read. This ordinance had its first reading June 16, 2005. It was moved by Commissioner Bowers, seconded by Commissioner Carter, that the ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

“AN ORDINANCE AMENDING ORDINANCE NO. 12, 2004 SERIES, AND FRANKFORT CODE OF ORDINANCES CHAPTER 37.32 (FORMERLY FRANKFORT MUNICIPAL CODE SECTIONS 2.93.030) PAY PLAN (SALARY ORDINANCE) was presented and read. This ordinance had its first reading on June 16, 2005. It was moved by Commissioner Bowers, seconded by Commissioner Carter, that the ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

“AN ORDINANCE AMENDING FRANKFORT CODE OF ORDINANCES CHAPTER 52 SECTION 04, PARAGRAPH (A) (1) CHARGES (FORMERLY FRANKFORT MUNICIPAL CODE CHAPTER 13.04 SECTION 040)” was presented and read. This ordinance had its first reading on June 15, 2005. It was moved by Commissioner Williams, seconded by Commissioner Layson, that the ordinance be put upon its final adoption.

The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

“AN ORDINANCE AMENDING FRANKFORT CODE OF ORDINANCES CHAPTER 52 SECTION 04, PARAGRAPH (A) (1) CHARGES (FORMERLY FRANKFORT MUNICIPAL CODE CHAPTER 13.04 SECTION 040), TO ESTABLISH FEES FOR SEWER EXTENSION DESIGN REVIEW, WRITTEN EASEMENT REVIEW, VIDEO INSPECTION, RE-INSPECTION AND RETESTING OF CONSTRUCTION OF SANITARY SEWERS IN THE CITY OF FRANKFORT AND FRANKLIN COUNTY” was presented and read. This ordinance had its first reading on June 16, 2005. It was moved by Commissioner Bowers, seconded by Commissioner Layson, that the ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

“AN ORDINANCE CREATING NEW POSITIONS OF INFORMATION TECHNOLOGY MANAGER, GIS TECHNICIAN, CODE ENFORCEMENT INSPECTOR, STAFF ENGINEER, MAPPING SUPERVISOR/TELECOMMUNICATOR, AND SEWER LABORATORY ASSISTANT FOR FISCAL YEAR 2005-2006” was presented and read.

“AN ORDINANCE ESTABLISHING THE PAY PLAN FOR THE NEW POSITIONS OF INFORMATION TECHNOLOGY MANAGER, GIS TECHNICIAN, CODE ENFORCEMENT INSPECTOR, STAFF ENGINEER, MAPPING SUPERVISOR/TELECOMMUNICATOR, AND SEWER LABORATORY ASSISTANT” was presented and read,

Consent Agenda

The following miscellaneous and personnel items were presented:

- 6.1 Approval of a sewer extension contract with Houston Properties, LLC for property known as Rockwood Condominiums at Galbraith Road in Franklin County, Kentucky; improvements include 7 new manholes and 1,125 feet of 8-inch SDR 35 pipe; final acceptance contingent upon completion of the 30-day waiting period for testing after construction is completed (Sewer Department).
- 6.2 Approval of a sewer extension contract with William O. Crumbaugh and Frances H. Crumbaugh, his wife, for property located at 1141 Holmes Street, known as Northgate Square, Franklin County, Kentucky; improvements include 4 new manholes and 898 feet of 8-inch SDR 35 pipe; final acceptance contingent upon completion of the 30-day waiting period for testing after construction is completed (Sewer Department).
- 6.3 Approval of a sewer extension contract with the Commonwealth of Kentucky, Finance and Administration Cabinet, Department of Facilities and Support Services for property located at 707 Holmes Street, Frankfort, Kentucky; improvements include 2 new manholes and 472 feet of 8-ince SDR 35 pipe; final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed (Sewer Department).
- 6.4 Approval of a sewer extension contract with Bill Day, Jr. for property located at 101 Arrowhead Court in Franklin County, Kentucky; improvements include 2 new manholes and 198 feet of 8-inch SDR 35 pipe; final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed (Sewer Department).
- 6.5 Approval of contract award to Essential Safety, LLC for health and safety training to Sewer Department personnel and other personnel within the City of Frankfort; training to provide a safe and healthful work environment and to maintain compliance with health and safety regulations, guidelines, standards and City and Department policies; total annual cost to the Sewer Department is not to exceed \$25,000; funds available in Account No. 200.68.55461 (Sewer Department).
- 6.6 Approval of a Bid Award to Man O War Ford for one 2005 Ford Explorer (Public Works Department); one 2005 Ford Explorer will be purchased through Kentucky State Price Master Contract #C-01012846 in the amount of \$22,951; \$20,000 available in the Public Work's Equipment Account (#100-61-56550) and \$2,951 in the Street Division's Equipment Account (#100-62-56550) (Public Works).
- 6.7 Authorization to solicit letters of interest to select an engineering consulting firm for the Cave Run Road Drainage Project in the Meadows Subdivision; cost not to exceed \$30,000; funds available in the Public Works Department's Advisory Technical Account (Account #100-61-53210 (Public Works).
- 6.8 Approval of an agreement with Blue Grass Community Action Partnership, Inc. for public Transportation services; included in the agreement are transportation services to recipients of Medicaid, Transitional Assistant, Department of the Blind, and Department for Vocational Rehabilitation program services living within the city limits; City to receive fares for scheduled medical transportation services as approved by the Kentucky Transportation Cabinet (Transit, Public Works).
- 6.9 Approval of the second year audit proposal by Larry T. Williams, CPA, for Fiscal Year 2004 –2005; audit fee not to exceed \$25,000; funds are available in the General Fund Budget Account No. 100-10-53220) and Sewer Operations and Management, Account No. 200-68-53220 (Finance Department).
- 6.10 Approval of a sewer extension contract with the Commonwealth of Kentucky, Department of Military Affairs, Division of Property Management in Frankfort, Kentucky for property adjacent to U.S. 60 at the Capital City Airport in Franklin County, Kentucky to serve future Corporate Hanger site; improvements to include 3 new manholes and 606 feet of 8-inch SDR 35 pipe; final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed (Sewer Department).
- 6.11 Approval of a private sanitary sewer extension owned and maintained by Montaplast of North America, 2011 Hoover Boulevard, Frankfort, Kentucky; includes removal by developer of 555 feet of 10-inch SDR 35 pipe and 2 manholes, which is part of its private sewer line, and replace with 545 feet of 10-inch SDR 35 pipe and 2 new manholes; final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed (Sewer Department).
- 6.12 Authorized contract award to Beckman Environmental to install new telemetering system with secure internet monitoring at twelve sewer pump stations, which is Phase 1 of a multi phase security upgrade; total installed cost of Phase I is \$42,902; funding is available in account 300.68.56550 (Sewer Department).
- 6.13 Approval of contract award to S J Cox Enterprises, Inc. for directional drilling under Benson Creek and installing approximately 850 feet of 18” High Density Polyethylene Pipe; Contract amount for \$195,860; funds available in account no. 300.68.56550 (Sewer Department).
- 6.14 Approval of a sewer extension contract with Mullis Family, LLC, a Kentucky Limited Liability Company, and Ira Tupts Enterprises, Inc., a Kentucky Corporation for The Enclave in Silverlake Subdivision in Frankfort, Kentucky; property zoned for development of townhouses with 67 lots; improvements include 8 new manholes, 1,362.57 feet of 8-inch SDR 35 pipe to serve lot numbers 1 through 67; final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed (Sewer Department).
- 6.15 Authorization to award a contract to Weber Excavating, LLC to install a new manhole and replace approximately 200 linear feet of collapsed sanitary sewer line at a depth of approximately 12 feet; includes installation of new lateral connections at four locations, including one for the new library; contract amount to be \$30,600; funds are available in account no.300.68.56550 (Sewer Department).
- 6.16 Personnel
 - Transfer/Reclassification of David M. Ingle from Telecommunicator , Communications, to position of Maintenance Worker, Sanitation, effective 6-28-05;

- Retirement of Margaret Jo Shockley from position of Grants Manager, effective 8-31-05, and authorize payment of all accrued vacation and compensatory time as of 8-31-05 (City Manager).

It was moved by Commissioner Bowers, seconded by Commissioner Carter, that all items on Consent Agenda be approved. All members being present and no objection having been filed with the City Clerk, the motion was thereupon adopted by general consent.

Board Appointments

Upon recommendation by Mayor May, it was moved by Commissioner Bowers, seconded by Commissioner Carter, that David Garnett be reappointed to the Frankfort/Franklin County Planning Commission for a four-year term ending 7-1-09, and Barry Holder, Jr., be reappointed to the Frankfort/Franklin County Board of Zoning Adjustments for a four-year term ending 7-1-09. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

New Business

Without objection, Item 9.2, to consider authorizing contract award for Construction Manager to Codell Construction Company, was removed from the agenda.

It was moved by Commissioner Layson, seconded by Commissioner Carter, to approve the local priorities established for the Unscheduled Transportation Needs Priority List for the Kentucky Transportation Cabinet's (LTC) 2006 Six-Year Highway Plan. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson, Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Bowers, seconded by Commissioner Layson, to go into closed session per KRS 61.810 (a), property, at the close of Commissioner Comments. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Williams, seconded by Commissioner Carter, to authorize the purchase of $\frac{3}{4}$ acre of land located behind the #5 green and #6 tee at Juniper Hill Golf Course. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson, Williams and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

Citizen Comments

Diana Looney raised concerns about the upcoming Comprehensive Plan process. She expressed concern that the last comprehensive plan has not been followed. She also questioned the makeup of the Comprehensive Plan committee noting that only five members are women. She asked who had the authority to set up this committee. Mayor May responded this was the purview of the Planning Commission Chairman. Ms. Looney commented that 47 members is a large group.

City Solicitor Rob Moore commented that the Kentucky Revised Statutes requires a five-year review of the Comprehensive Plan. Commissioner Layson stated the process is instrumental to growth and asked whether this will be a major or minor rewrite.

Mayor May called on Frankfort Senior Planner Robert Hewitt to address the questions raised. He stated public participation is necessary. Joint City/County Planning Commission representatives are required from both the City and County. At this point he doesn't know how major the rewrite will be. It is a long process. Subcommittees will be established to report to the Planning Commission.

Mrs. Looney requested the Planning Commission provide a list of names and occupations of Comprehensive Plan committee members. There was additional discussion as to the makeup of the committee and possible selection process guidelines. Commissioner Carter commented on the importance of public participation in this process. Commissioner Williams commented he wasn't comfortable that the City Commission influence or comment on how appointments to the committee are made. He noted the final document will come to the City Commission for approval.

Libby Marshall spoke concerning proposed airport expansion and the City's leadership role in the project. She requested the City inquire as to the extent and timetable for expansion, and then open discussion to community and political officials. She stated this issue is too important for city leaders to sit on the sidelines. She presented information from a state open records requests that revealed a number of flights high enough to trigger a noise impact study. She commented that the consultant seemed resistant to having an impact statement completed. There was discussion as to the extent of Military flights, and the importance of the Military to Frankfort. Ms. Marshall commented that in five or ten years, the airport could be the most dominate feature in Frankfort.

Ann Gibbs commented the city map shows the airport in the city limits, but the surrounding area is zoned residential. She stated the airport is improperly located. She stated she was disappointed the State has not discussed expansion plans with the City. She suggested a joint public meeting with State and County officials to address airport concerns, or to consult with other counties to consider relocating the airport. She asked when the City would make a decision as to the monetary request made to the City concerning the airport project. City Manager Tony Massey responded that he had responded orally that the City is not interested.

Commissioner Bowers stated she agreed that the City should take leadership with this issue.

Kirk Pomper stated he lives close to the airport. He said there is no hard data on the airport's Economic Development benefit to Frankfort. He stated he wants City leadership on this issue. He stated he supports the Military, but wants a better flow of information.

David McElrath stated he is worried about more jets. He stated that Louisville airport is in the wrong place in Louisville. Frankfort will grow and the airport will be even more inside Frankfort. He stated a noise study is needed and does not want to end up like Louisville.

Pamela Martin stated she went to the first public hearing in February 1977. She lives at the end of the runway. She said the last meeting was not a public hearing, as comments were not allowed. She said the walls and ceiling are cracking in her house from the noise. She would like someone to keep the public informed.

Larry Varney stated the airport was a military airport years ago. He said that Item 6.10 on the Consent Agenda, was for a Corporate Hanger, not military. He stated he didn't appreciate the uneven playing field, and thought the state was trying to slip things in. He stated the Consultant at the May meeting made no sense.

Bill Averill stated there was anxiety that those impacted the most do not have a strong enough say. He said he thinks the City needs to contact state officials and get details concerning noise, congestion and other issues. He said the airport issue needs to be brought under control and citizens have a right and a need to know what is going on.

Jim McWilliams stated he supports the position of most people. He questioned how much tax revenue is lost to the City by state and local buildings. He asked whether inflation is a factor in the state Payment in Lieu of Taxes (PILOT). He urged the State Representatives to look at this.

John Semones stated he is a retired National Guard member, and air traffic comes over his house. He said no one had told the air traffic not to fly over residences.

Melinda Van Arsdale stated she hopes something comes from this. She stated the Crumbaugh development on the Gilbert farm is underway and an Environmental Impact Statement is needed. She said the Red Bridge area is pristine.

Mike Nichols stated the corporate jets will come with corporate hangers. This will have a huge impact on the community and a joint city/county effort in this airport expansion is needed. Commissioner Layson said the state cannot be forced not to expand. Mr. Nichols stated the airport is in the wrong place and discussions needed with the powers that be. Commissioner Layson stated the city can try to facilitate discussion.

Diana Looney stated that Franklin County has the state's highest suicide rate. She stated that upcoming projects with Kentucky Utilities, the airport expansion and Planning Zoning, create stress for citizens. She commented on a town in California that stopped development.

Commissioner Carter commented that citizens need to be listened to but there are no guarantees.

Commissioner Bowers stated staff should be directed to set up a joint meeting with city, county and state to discuss the airport issue.

Commissioner Comments

Commissioner Carter recognized Steve Brooks as a Distinguished Citizen of the VFW. She announced Jeff Hackbart was the proud father of a new baby boy named Hank. She stated she would be having her monthly meeting with the public on July 5, from 6:00 p.m. to 8:00 p.m. at the Thorn Hill Learning Center. Commissioner Williams will be joining her for this meeting. Commissioner Bowers is invited to join her in August.

Commissioner Bowers stated the Kiwanis baseball tournament will be held at East Frankfort Park the end of July. Proceeds go to benefit Frankfort youth.

Commissioner Layson stated that as a Board, they must look at prioritizing sewer collection projects and get them moving. He also recognized a new reporter from the State Journal in attendance.

The meeting adjourned to closed session at 7:40 p.m.

MAYOR

ATTEST:

CITY CLERK